

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JUAN CARLOS RODRIGUEZ,
Petitioner

v.

COURT OF COMMON PLEAS
OF LACKAWANNA COUNTY, *et al.*,
Respondents

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: CIVIL NO. 1:12-CV-258
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O R D E R

AND NOW, this 16th day of March, 2012, upon consideration of the Report and Recommendation ("R&R") of Magistrate Judge Carlson (Doc. 4), to which no objections have been filed, and upon independent review of the record, the court finds no error in the R&R and concludes that the R&R should be adopted.

Accordingly, it is ORDERED that:

1. The R&R (Doc. 4) is adopted.
2. The Petition for Writ of Habeas Corpus (Doc. 1) is DENIED, without prejudice to Petitioner's ability to file a similar petition after he has exhausted state remedies.
3. The Clerk of Court shall close this file.

/s/ William W. Caldwell
William W. Caldwell
United States District Judge